

Bills of Interest to the HR Community (as of February 8, 2006)

SB 326 (as amended by Senate Committee)

Expands the meaning of misuse of public funds and defines 'public money.' If convicted, an employee who misuses public funds shall forfeit their official position.

SB 327 (as amended by Senate Committee of the Whole)

This bill, which creates the Office of the Inspector General in the Kansas Health Policy Authority, was amended to state that the Inspector General:

- Shall provide oversight of the state Medicaid program and the state children's health insurance program
- Shall be independent and free from political influence and selected without regard to political affiliation
- Shall be appointed by the Attorney General
- May be removed from office by the Attorney General for just cause
- Shall be independent and not subject to direction by any other executive or legislative branch officer or agency
- Shall report directly to Attorney General, leadership of both legislative houses, House Appropriations Committee and Senate Ways and Means Committee

No former or current executive or manager of any program or agency subject to oversight by the Office of Inspector General may be appointed Inspector General within 2 years of service.

SB 337

Increases the annual salaries for:

- District Judges, other than District Judges designated as Chief Judges (from \$71,291 to \$114,813)
- District Judges designated as Chief Judges (from \$72,105 to \$115,977)
- District Magistrate Judges (from \$47,416 to \$59,059)

SB 368

Makes State Board of Education employees and members subject to governmental ethics laws.

SB 410

Establishes training programs under the open meetings act and the open records act.

- Elected or appointed officials subject to either act are required to complete a course of training within a period of time specified in the bill.
- Agency official custodians under the open records act are required to complete a course of training within a period of time specified in the bill.
- Attorney General shall establish course content and ensure training is available, including videotape (or similar media) at no cost.

SB 428

Amends governmental ethics law to allow Veteran Service Representatives of the Kansas Commission on Veterans Affairs to receive a monthly stipend from veterans' service organizations. The stipend is:

- in addition to their compensation as employees of the Commission

- for performance of duties that are similar to their duties for the Commission

Stipulates that veterans' organizations are responsible to determine if an individual is acceptable for accreditation as a Veteran Service Representative, including attending interviews of prospective employees. Also designates the number of days veterans' organizations may use employees' services with supplemental pay.

SB 431

Requires disclosure of previous arrests, convictions or diversions in application for employment as a law enforcement officer.

SB 456

Under the Open Records Act, opens certain employee or contractor information if the employee or contractor is a driver of a commercial motor vehicle transporting students or members of the public.

SB 518

Employers may designate the method by which employees receive wages by one or more of the following methods at no cost to employees:

- 1) U.S. money;
- 2) Check or draft negotiable in community of place of employment;
- 3) Electronic transfer or deposit to financial institution account designated by employee; or
- 4) Payroll card at the election of the employee if offered by employer.

Except for the payroll card, employees may not refuse the payment method designated by the employer.

HB 2551

Allows retroactive increases to employees' vacation leave balances if the length of service was incorrect and the employee would have been entitled to a higher accrual rate.

HB 2565

Allows Veteran Service Representatives of the Kansas Commission on Veterans Affairs to receive a monthly stipend from any veterans' service organization. The stipend is:

- in addition to their compensation as employees of the Commission
- for performance of duties that are similar to their duties for the Commission
- based on a written memorandum of agreement

HB 2600

If other states are less restrictive than Kansas state agencies in interpreting a federal regulation, a federal statute, or a national building or fire code then the less restrictive interpretation shall be applicable in Kansas unless it conflicts with a Kansas statute, regulation or local ordinance or resolution.

HB 2605

Secretary of Corrections shall establish a drug and alcohol treatment facility or facilities. The facility shall be a state correctional institution or facility.

HB 2648

Transfers the State Fire Marshal and the Office of State Fire Marshal to the Kansas Bureau of Investigation (KBI).

- All officers and employees shall continue to be officers and employees of the Office of State Fire Marshal within the KBI.
- Transferred employees retain all retirement benefits and leave balances. Any subsequent transfers, layoffs and abolition of classified service positions shall be in accordance with civil service laws.
- Changes certain inspection duties from the Office of State Fire Marshal to local entities, who may request the State Fire Marshal to perform the inspection.
- Current State Fire Marshal shall continue to serve until January 8, 2007, or the date the position is vacated, whichever comes first.
- Changes the appointment of the next Fire Marshal from the Governor to the director of the KBI, who shall receive nominations from a committee.

HB 2696

Sets requirements, salaries and terms for administrative law judges in the division of workers compensation at the Department of Labor. Changes the stipulation that the duties of the assistant directors of workers compensation include administrative law judge responsibilities from 'shall' to 'may.' Administrative law judges:

- Shall have at least 5 years experience as an attorney with 1 year in area of workers compensation
- Annual salary shall be an amount equal to 80% of the annual salary of a district court judge, other than a district court judge designated as a chief judge
- May not receive additional compensation for official services or engage in private practice
- Shall be reimbursed for expenses incurred in performing official duties in the same way as judges of the district court are reimbursed
- Applicants' qualifications are determined by the Director of workers compensation, who forwards applications to a newly established workers compensation administrative law judge nominating and review committee
- Administrative law judges appointed on and after July 1, 2006, shall serve a 4 year term of office and may be reappointed.
- Administrative law judges hired before July 1, 2006, may continue in the classified service or opt to be appointed to a 4 year term and receive the annual salary equal to 80% of the salary prescribed for a district court judge if gives written notice within 60 days.
- Administrative law judges shall be in the unclassified service unless they opt to stay in the classified service as noted above.

HB 2719

Allows a member of a public body or agency to object to participating in a closed or executive session if the member believes the action violates or subverts the intention of the open meetings act. Upon an objection, the session must be recorded and kept for at least one year. The recording shall be sealed and not subject to the open records act unless by court order.

HB 2727

Authorizes state payroll deductions for charitable federations which are eligible to be deducted from federal employees payroll.

HB 2728

Requires employers to give paid leave on Veterans' Day to veterans. (Veterans' Day is already a holiday for state employees.)

HB 2729

Creates the Kansas false claims act for the purpose of preventing fraudulent Medicaid or other claims. Describes how a present or former employee of the state reports fraudulent activity and potentially receives a monetary award. Prevents employers from forbidding an employee to disclose information or retaliating against an employee. Employees convicted of misuse of public funds are prohibited from holding any official, employee or contract position with the State of Kansas that would have control of public money.

HB 2743

Designates legal holidays for state officers and employees on and after January 1, 2007 as:

- 1) New Year's Day, January 1
- 2) Birthday of Martin Luther King, Jr., 3rd Monday in January
- 3) Presidents Day, 3rd Monday in February (*new*)
- 4) Memorial Day, last Monday in May
- 5) Independence Day, July 4
- 6) Labor Day, 1st Monday in September
- 7) Columbus Day, 2nd Monday in October (*new*)
- 8) Veterans' Day, Nov. 11
- 9) Thanksgiving Day holidays, 4th Thursday & Friday in November
- 10) Christmas Day, Dec. 25

Designates one paid discretionary day for employees each year. Authorizes the Governor to designate additional legal holidays and, in a particular year, to designate additional days on which state offices are to be closed in observance of a state holiday or holiday season. Defines "officers and employees" as an elected or appointed officer or any employee in the classified or unclassified service. The definition of "state agency" includes "any person requesting a state appropriation."

HB 2749

Amends governmental ethics law to allow employees to accept meals when provided at an event or meeting when the employee's presence serves a legitimate state purpose or interest and the employee's agency authorizes their attendance.

HCR 5024

Encourages the Governor to invite the Chief Executive Officer of the State Board of Regents to participate in the Governor's cabinet.